

SEP 09 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALFREDRICK LOVE,

Plaintiff - Appellant,

v.

K. R. HENSLEY; et al.,

Defendants - Appellees.

No. 06-56110

D.C. No. CV-06-01375-DMS

MEMORANDUM \*

Appeal from the United States District Court  
for the Southern District of California  
Dana M. Sabraw, District Judge, Presiding

Submitted August 26, 2008 \*\*

Before: SCHROEDER, KLEINFELD, and IKUTA, Circuit Judges.

Alfredrick Love, a California state prisoner, appeals pro se from the district court's order dismissing his 42 U.S.C. § 1983 action pursuant to the screening provisions of 28 U.S.C. §§ 1915(e) and 1915A. We dismiss.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

We lack jurisdiction to consider this appeal because the district court's order dismissing Love's complaint and granting leave to amend did not constitute the final judgment in this case. *See WMX Technologies, Inc. v. Miller*, 104 F.3d 1133, 1136 (9th Cir. 1997) (en banc).

**DISMISSED.**